

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4 CUNG LE, et al.,

5 Plaintiffs,

6 v.

7 ZUFFA, LLC, et al.,

8 Defendants.

Case No. 2:15-cv-01045-RFB-PAL

MINUTES OF PROCEEDINGS

Dated: June 30, 2017

9 **PRESENT:** THE HONORABLE PEGGY A. LEEN, United States Magistrate Judge

10 **JUDICIAL ASSISTANT:** Teresa Hoskin **RECORDER/TAPE #:** None

11 **COUNSEL FOR PLAINTIFF(S):** Patrick Madden, Kevin Rayhill, Matthew Weiler

12 **COUNSEL FOR DEFENDANT(S):** Stacey Grigsby, Evan Norris, Nicholas Widnell

13 **PROCEEDING:** Dispute Resolution Conference

14 The parties requested a telephonic dispute resolution conference to address several disputes
15 raised in letters to the court which was conducted commencing at 9:30 a.m. Having considered
16 the parties' arguments,


17 **IT IS ORDERED:**

- 18 1. Zuffa may cross notice depositions noticed by plaintiffs. With respect to the non-
19 party depositions plaintiffs requested but Zuffa did not, plaintiffs shall have up to
20 six hours to depose the witnesses, and Zuffa up to one hour.
- 21 2. With respect to the non-party witness depositions, both sides advised the court they
22 wanted to take in the Joint Status Report (ECF No. 418) and/or the June 1, 2017
23 hearing, the parties shall meet and confer to equitably divide the amount of time to
24 examine.
- 25 3. Plaintiffs served 17 Rule 45 subpoenas *duces tecum* before the discovery cutoff,
26 which were identified in the parties' Joint Status Report (ECF No. 418). At the
27 June 1, 2017 hearing, the court granted a 60-day extension of the fact discovery
28 cutoff until July 31, 2017, but limited the discovery plaintiffs could conduct at

1 Zuffa's request. Because many of the subpoenas had been served many months
2 earlier and plaintiffs had not pursued motions to compel, the court limited plaintiffs
3 to pursuing five of the 15 subpoenas. It was not the court's intention to prevent
4 plaintiffs from obtaining documents pursuant to valid, timely served subpoenas, or
5 to allow non-parties to ignore or fail to comply with their obligations under Rule
6 45. Rather, the court limited the number of document subpoenas plaintiffs could
7 pursue to force plaintiffs to timely pursue a motion to compel or other appropriate
8 means to obtain this discovery. Thus, non-parties who were timely served with
9 subpoenas before the May 1, 2017 cutoff, which has now been extended until July
10 31, 2017, will not count against the five subpoena limit.

- 11 4. Plaintiffs may obtain document discovery from Mercer, and may take one Mercer
12 deposition.

13 The conference concluded at 10:03 a.m.

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16 PEGGY A. LEEN
17 UNITED STATES MAGISTRATE JUDGE
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